UNITED STATES PATENT AND TRADEMARK OFFICE

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10/826,317	04/19/2004	Tony Larsson	0119-176	1069

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EXAMINER
REDDIVALAM, SRINIVASA R

ART UNIT	PAPER NUMBER
2619	

NOTIFICATION DATE	DELIVERY MODE
07/29/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

tammy@ppglaw.com

	Application No.	**Applicant(s)**
	10/826,317	LARSSON ET AL.
Office Action Summary	**Examiner**	**Art Unit**	
	SRINIVASA R. REDDIVALAM	2619	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 May 2008</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-4 and 9-19</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-4 and 9-19</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>05/10/2008</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   Applicant's amendment filed on May 9th, 2008 has been entered. Claims 1, 4,

and 9 have been amended. Claims 1-4, and 9-19 are still pending in this application

with claims 1, 9 and 12 being independent.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

4.   Claims 1-4, 9-10 and 12-17 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Cansever (US Patent No: 6,678,252 B1) in view of Toh C-K

("Associativity-Based Routing for Ad-Hoc Mobile Networks").

Regarding claim 1, Cansever teaches in an ad-hoc network wherein data packets are sent from a source node to a destination node via an established route, a source node (see node i in Fig.5) comprising: means (see Transmitter/Transceiver block 512 in node i in Fig.5) for requesting route discovery between the source node and a destination node (see col.7, lines 13-20 wherein generation of a route request packet from a source node to destination node to initially identify a path from source to destination is mentioned); means for determining (see Receiver/ Transceiver block 512 in node i in Fig.5) whether said request for route discovery between the source node and the destination node over existing network connections fails (see col.7, lines 36-38 wherein source node not receiving a reply packet within a specified period of time is mentioned); and means (see Processor block 504 in node i in Fig.5) for determining a route between the source node and the destination node by forming one or more new connections if it is determined that said request for route discovery between the source node and the destination node over existing network connections fails (see col.7, lines 59-61 wherein establishment of a new path is mentioned when the existing path becomes unusable due to node mobility, etc.).

Cansever teaches the source node comprising means for determining a route between the source node and the destination node by forming one or more new connections if it is determined that said request for route discovery between the source node and the destination node over existing network connections fails as mentioned above and does not teach specifically the means for determining a route between the

source node and the destination node by forming one or more new connections **associated with one or more newly formed subnetworks** if it is determined that said request for route discovery between the source node and the destination node over existing network connection fails.

However, Toh C-K teaches the source node comprising means for determining a route between the source node and the destination node by forming one or more new connections associated with one or more newly formed subnetworks if it is determined that said request for route discovery between the source node and the destination node over existing network connection fails (**see section 5.2.4 wherein partition of subnets into two new subnets due to the migration of a subnet-bridging MH (IN) and source invoking BQ query messages are mentioned and also see section 5.1 wherein the source broadcasting BQ query message and the establishment of a new route between source node and destination node are mentioned**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the source node of Cansever to have the source node comprising means for determining a route between the source node and the destination node by forming one or more new connections associated with one or more newly formed subnetworks if it is determined that said request for route discovery between the source node and the destination node over existing network connection fails, disclosed

by Toh C-K for more efficient routing and higher throughput of data packets in ad-hoc mobile network.

Regarding claim 2, Cansever further teaches the source node wherein said means for requesting route discovery comprises: means for broadcasting a route discovery request message, for a route between the source node and the destination node over one or more connections associated with one or more existing subnetworks, if the source node is a member of one or more of the existing subnetworks (see col.7, lines 21-33 wherein broadcasting of a route request packet from source node to destination node over an existing connection in a subnetwork is mentioned).

Regarding claim 3, Cansever further teaches the source node wherein said means for determining whether said request for route discovery over existing network connections fails comprises: means for determining if a timely reply message is received by the source node in response to the broadcast route discovery request message (see col.7, lines 36-38 wherein the source node not receiving a reply packet within a specified period of time and re-issuing the route request packet are mentioned).

Regarding claim 4, Cansever does not teach specifically the source node, wherein said means for determining a route comprises: means for establishing a route between the source node and the destination node over one or more new connections associated with one or more newly formed subnetworks, if it is determined that a timely reply was not received.

However, Toh C-K teaches the source node comprising means for establishing a route between the source node and the destination node over one or more new connections associated with one or more newly formed subnetworks, if it is determined that a timely reply was not received (see section 5.2.4 wherein partition of subnets into two new subnets due to the migration of a subnet-bridging MH (IN) and source invoking BQ query messages are mentioned and also see section 5.1 wherein the source broadcasting BQ query message and the establishment of a new route between source node and destination node are mentioned).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the source node of Cansever to have the source node comprising means for establishing a route between the source node and the destination node over one or more new connections associated with one or more newly formed subnetworks, if it is determined that a timely reply was not received, disclosed by Toh C-K for more efficient routing and higher throughput of data packets in ad-hoc mobile network.

Regarding claim 9, Cansever teaches in an ad-hoc network, an arrangement for establishing a route over which data packets are to be sent from a source node to a destination node, the arrangement (see Figures 2 and 3) comprising: a source node; and at least one destination node, wherein the source node (see node i in Fig.5) comprises: means (see Transmitter/Transceiver block 512 in node i in Fig.5) for

requesting route discovery between the source node and the destination node over
existing network connections (see col.7, lines 13-20 wherein generation of a route
request packet from a source node to destination node to initially identify a path from
source to destination is mentioned); means (see Receiver/ Transceiver block 512 in
node i in Fig.5)   for determining whether said request for route discovery between the
source node and the destination node over existing network connections fails (see col.7,
lines 36-38 wherein source node not receiving a reply packet within a specified period of
time is mentioned); and means (see Processor block 504 in node i in Fig.5) for
establishing a route between the source node and the destination node by forming one
or more new network connections if it is determined that said request for route discovery
between the source node and the destination node over existing network connections
failed (see col.7, lines 59-61 wherein establishment of a new path is mentioned when
the existing path becomes unusable).

Cansever teaches the source node comprising means for establishing a route
between the source node and the destination node by forming one or more new
connections if it is determined that said request for route discovery between the source
node and the destination node over existing network connections failed as mentioned
above and does not teach specifically the means for establishing a route between the
source node and the destination node by forming one or more new connections
associated with one or more newly formed subnetworks if it is determined that said
request for route discovery between the source node and the destination node over
existing network connection failed.

However, Toh C-K teaches the source node comprising means for establishing a
route between the source node and the destination node by forming one or more new
connections associated with one or more newly formed subnetworks if it is determined
that said request for route discovery between the source node and the destination node
over existing network connection failed **(see section 5.2.4 wherein partition of
subnets into two new subnets due to the migration of a subnet-bridging MH (IN)
and source invoking BQ query messages are mentioned and also see section 5.1
wherein the source broadcasting BQ query message and the establishment of a
new route between source node and destination node are mentioned)**.

Therefore, it would have been obvious to one of ordinary skill in the art at the
time of invention to modify the arrangement of Cansever to have the source node
comprising means for establishing a route between the source node and the destination
node by forming one or more new connections associated with one or more newly
formed subnetworks if it is determined that said request for route discovery between the
source node and the destination node over existing network connection failed, disclosed
by Toh C-K for more efficient routing and higher throughput of data packets in ad-hoc
mobile network.

Regarding claim 10, Cansever further teaches the arrangement, wherein the
means for determining whether said request for route discovery between the source

node and the destination node over existing network connections fails comprises:

means for determining whether the source node received a timely reply in response to

the request for route discovery (see col.7, lines 36-38 wherein the source node not

receiving a reply packet within a specified period of time and re-issuing the route

request packet are mentioned).

Regarding claim 12, Cansever teaches in an ad-hoc network, an arrangement

for establishing a route between a source node and a destination node over which data

packets are to be sent, the arrangement (see Figures 2 and 3) comprising: a plurality of

nodes that communicate with each other over one or more subnetworks (see Fig.2); a

source node; and a destination node (see node j=4 in Fig.2), wherein the source node

(see node i in Fig.5) comprises: means (see Transmitter/Transceiver block 512 in node

i in Fig.5) for broadcasting a route discovery request message for a route between the

source node and the destination node over one or more connections associated with

the one or more existing subnetworks if the source node is a member of one or more of

the existing subnetworks (see col.7, lines 13-33 wherein generation of a route request

packet from a source node to destination node to initially identify a path from source to

destination is mentioned) ; means (see Receiver/ Transceiver block 512 in node i in

Fig.5) for determining if a timely reply message is received by the source node in

response to the broadcast route discovery request message (see col.7, lines 36-38

wherein the source node not receiving a reply packet within a specified period of time

and re-issuing the route request packet are mentioned) and means (see Processor

block 504 in node i in Fig.5) for establishing a route between the source node and the

destination node by forming one or more new connections if it is determined that a

timely reply message was not received (see col.7, lines 59-61 wherein establishment of

a new path is mentioned when the existing path becomes unusable).

Cansever teaches the source node comprising means for establishing a route

between the source node and the destination node by forming one or more new

connections if it is determined that a timely reply message was not received as

mentioned above and does not teach specifically the source node comprising means for

establishing a route between the source node and the destination node over one or

more new connections **associated with one or more newly formed subnetworks** if it

is determined that a timely reply message was not received.

However, Toh C-K teaches the source node comprising means for establishing a

route between the source node and the destination node over one or more new

connections associated with one or more newly formed subnetworks if it is determined

that a timely reply message was not received (see section 5.2.4 wherein partition of

subnets into two new subnets due to the migration of a subnet-bridging MH (IN) and

source invoking BQ query messages are mentioned and also see section 5.1 wherein

the source broadcasting BQ query message and the establishment of a new route

between source node and destination node are mentioned).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of invention to modify the source node of arrangement of Cansever to have the

source node comprising means for establishing a route between the source node and

the destination node over one or more new connections associated with one or more

newly formed subnetworks, if it is determined that a timely reply was not received,

disclosed by Toh C-K for more efficient routing and higher throughput of data packets in

ad-hoc mobile network.

Regarding claim 13, Toh C-K further teaches the source node of the

arrangement further comprises: means for establishing a route between the source

node and the destination node over one or more new connections associated with one

or more newly formed subnetworks if the source node is not a member of one or more

of the existing subnetworks (see section 5.2.1 wherein the movement of source node is

mentioned and see section 5.2.4 wherein partition of subnets due to the migration of a

subnet-bridging MH and source invoking BQ query messages are mentioned and also

see section 5.1 wherein the source broadcasting BQ query message and the

establishment of a new route between source node and destination node are

mentioned).

Regarding claim 14, Toh C-K further teaches the source node of the

arrangement further comprises means for establishing a route between the source node

and the destination node over one or more new connections associated with one or

more newly formed subnetworks if the destination node is not a member of one or more

of the existing subnetworks (see section 5.2.2 wherein the movement of destination

node is mentioned and see section 5.2.4 wherein partition of subnets due to the

migration of a subnet-bridging MH and source invoking BQ query messages are

mentioned and also see section 5.1 wherein the source broadcasting BQ query

message and the establishment of a new route between source node and destination

node are mentioned).

      Regarding claim 15, Toh C-K further teaches the source node of the

arrangement further comprises: means for determining whether a route over one or

more new connections associated with one or more newly formed subnetworks is

desirable, if it is determined that a timely reply in response to the route discovery

request message is received by the source node (see section 5.2.4 wherein partition of

subnets due to the migration of a subnet-bridging MH and source invoking BQ query

messages are mentioned).

      Regarding claim 16, Cansever further teaches the source node of the

arrangement further comprises: means for establishing a route between the source

node and the destination node over one or more connections associated with the one or

more existing subnetworks, if it is determined that a timely reply in response to the route

discovery request message is received and it is determined that a route over one or

more new connections associated with one or more newly formed subnetworks is not

desirable (see col.7, lines 17-36 wherein broadcasting of a route request packet and

identifying a path from source node to destination node over an existing connection in a

subnetwork is mentioned).

Regarding claim 17, Cansever teaches the source node of the arrangement further comprising: means for establishing a route between the source node and the destination node over one or more connections associated with the one or more existing subnetworks if it is determined that a timely reply in response to the route discovery request message is received (see col.7, lines 17-36 wherein broadcasting of a route request packet and identifying a path from source node to destination node over an existing connection in a subnetwork is mentioned).

Cansever does not teach specifically the source node of the arrangement further comprises: determining that a route over one or more new connections associated with one or more newly formed subnetworks is desirable, and for simultaneously initiating route discovery for a route between the source node and the destination node over one or more connections associated with one or more newly formed subnetworks.

However, Toh C-K teaches the source node of the arrangement further comprises: determining that a route over one or more new connections associated with one or more newly formed subnetworks is desirable, and for simultaneously initiating route discovery for a route between the source node and the destination node over one or more connections associated with one or more newly formed subnetworks (see section 5.2.4 wherein partition of subnets due to the migration of a subnet-bridging MH and source invoking BQ query messages are mentioned and also see section 5.1

wherein the source broadcasting BQ query message to establish a new route between

source node and destination node is mentioned).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of invention to modify the source node of arrangement of Cansever to have

determining that a route over one or more new connections associated with one or more

newly formed subnetworks is desirable, and for simultaneously initiating route discovery

for a route between the source node and the destination node over one or more

connections associated with one or more newly formed subnetworks disclosed by Toh

C-K for more efficient routing and higher throughput of data packets in ad-hoc mobile

network.

5.   Claims 11, and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Cansever (US Patent No: 6,678,252 B1) in view of Toh C-K ("Associativity-Based

Routing for Ad-Hoc Mobile Networks") and further in view of Zyren (US Patent No:

6,377,608).

Regarding claim 11, Cansever and Toh C-K and do not teach specifically the

arrangement wherein the network is a Bluetooth technology based network.

However, Zyren teaches the arrangement wherein the network is a Bluetooth

technology based network (see col.1, lines 25-32 wherein ad-hoc networks comprising

Bluetooth radios is mentioned).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the arrangement of Cansever and Toh C-K to include Bluetooth technology based network in ad-hoc network disclosed by Zyren to support industry standard technology i.e. Bluetooth for ad-hoc networks.

Regarding claims 18 and 19, Cansever and Toh C-K do not teach specifically the arrangement wherein ad-hoc network is a Bluetooth technology based network and the existing and newly formed subnetworks are piconets.

However, Zyren teaches the arrangement wherein ad-hoc network is a Bluetooth technology based network and the existing and newly formed subnetworks are piconets (see col.1, lines 25-32 wherein ad-hoc networks comprising Bluetooth radios is mentioned and also piconets are mentioned in adhoc network for subnetworks).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the arrangement of Cansever and Toh C-K to have Bluetooth technology based network for ad-hoc network and piconets for the existing and new subnetworks disclosed by Zyren to support industry standard technology i.e. Bluetooth for ad-hoc networks and for efficient routing in ad-hoc networks.

Response to Arguments

6.   Applicant's arguments filed on May 9th, 2008 have been fully considered but they
are not persuasive.

7.   In page 7 of Applicant's Remarks, Applicants mention that variously claimed
embodiments are believed to be patentably distinguishable over any combination of
Cansever with Toh C-K at least because neither of these documents discloses or
suggests "means for establishing a route between the source node and the destination
node over one or more new connections associated with one or more newly formed
subnetworks if it is determined that a timely reply message was not received".

However, Cansever teaches means (see Processor block 504 in node i in Fig.5) for
establishing a route between the source node and the destination node by forming one
or more new connections if it is determined that a timely reply message was not
received (see col.7, lines 59-61 wherein establishment of a new path is mentioned when
the existing path becomes unusable due to node mobility etc.) and Toh C-K teaches the
source node comprising means for establishing a route between the source node and
the destination node over one or more new connections **associated with one or more
newly formed subnetworks** if it is determined that a timely reply message was not
received (see section 5.2.4 wherein partition of subnets into two new subnets due to the
migration of a subnet-bridging MH (IN) and source invoking BQ query messages are
mentioned and also see section 5.1 wherein the source broadcasting BQ query
message and the establishment of a new route between source node and destination
node are mentioned). **Thus, Cansever in combination with Toh C-K disclose
"means for establishing a route between the source node and the destination**

node over one or more new connections associated with one or more newly

formed subnetworks if it is determined that a timely reply message was not

received"

8.   In page 9. Applicants mention that Toh C-K handles the situation merely by

attempting some form of repeated BQ query and nothing in this teaching describes or

even suggests that an attempt will be made to form "one or more new connections

associated with one or more newly formed subnetworks", as defined in Applicants'

claims. **However, w.r.t. Applicants' claims, Cansever clearly teaches to establish a**

new path when the path for a flow becomes unusable due to node mobility etc

(see col.7, lines 59-61) which is equivalent to establishing a route between the

source node and the destination node by forming one or more new connections if

it is determined that said request for route discovery between the source node

and the destination node over existing network connections fails. Cansever does

not teach specifically forming one or more new connections associated with one or

more newly formed subnetworks as mentioned the claims. Toh C-K teaches forming

one or more new connections associated with one or more newly formed subnetworks

as explained above under claim rejections for these claims **(see section 5.2.4 wherein**

partition of subnets into two new subnets due to the migration of a subnet-

bridging MH (IN) and source invoking BQ query messages are mentioned and

also see section 5.1 wherein the source broadcasting BQ query message and the

establishment of a new route between source node and destination node are

mentioned). Cansever clearly teaches, when a flow becomes unusable due to node

mobility, to establish a new path and the formation of new subnets due to the migration

of subnet-bridging MH (IN) is disclosed by Toh C-K. Thus Cansever in combination with

Toh C-K teach the limitations of independent claims 1, 9 and 12 and is also explained

under section 7 above.

Conclusion

9.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

10.   Any response to this office action should be faxed to (571) 273-8300 or mailed

To:

Commissioner for Patents,
P.O. Box 1450
Alexandria, VA 22313-1450
Hand-delivered responses should be brought to
Customer Service Window
Randolph Building

401 Dulany Street

Alexandria, VA 22314.

11.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SRINIVASA R. REDDIVALAM whose telephone number

is (571)270-3524. The examiner can normally be reached on Mon-Fri 9:30 AM - 7 PM

(1st Friday OFF).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Chirag Shah can be reached on 571-272-3144. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Srini Reddivalam

07/20/2008

/Chirag G Shah/

Supervisory Patent Examiner, Art Unit 2619